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Writer's Email: poshea@ogklaw.com  
Writer's Telephone Extension: 102**FACSIMILE TRANSMISSION****TO:** Office of Petitions**COMPANY:** United States Patent and Trademark Office**FAX NO:** 571-273-8300**DATE:** January 18, 2008**FROM:** Patrick J. O'Shea**RE:** U.S. Patent Application No. 10/037,303  
APPARATUS FOR CREATING A NAVIGATION MAP  
Our File: 6474**NO. OF PAGES TO FOLLOW:** 2**REMARKS:**

Please see the attached express abandonment petition.

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JAN 18 2008

Docket No. Harman 6474

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Philipp H. Nagel

GROUP: 3661

SERIAL NO: 10/037,303

EXAMINER: Dalena Tran

FILED: November 7, 2001

FOR: APPARATUS FOR CREATING A NAVIGATION MAP

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

PETITION UNDER 37 CFR 1.313(c)

In response to new prior art recently identified in a foreign counterpart application, the applicant seeks to withdraw this application from issue. This application is set to issue on January 29, 2008 as U.S. Patent 7,324,895.

Attached herewith is an Express Abandonment in favor of the continuation application filed earlier today and assigned Serial No. 12/016,405.

Please charge the \$130.00 fee pursuant to 37 CFR 1.17(h) to Deposit Order Account No. 50-3381.

Withdrawal from issue is respectfully requested. If you have any questions, please call the undersigned attorney.

Respectfully submitted,

  
 Patrick J. O'Shea  
 Reg. No. 35,305  
 O'Shea, Getz & Kosakowski, P.C.  
 1500 Main Street, Suite 912  
 Springfield, MA 01115  
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being faxed to the United States Patent and Trademark Office Petitions Office, fax number 571-273-8300.



JAN 18 2008

PTO/SB/24 (01-08)

Approved for use through 01/31/2008. OMB 0651-0091

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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EXPRESS ABANDONMENT UNDER  
37 CFR 1.138Fax directly to the Pre-Grant Publication Division at (703) 305-8588; or  
mail to: Mail Stop Express Abandonment  
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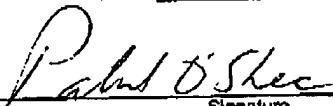
Application Number	10/037,303
Filing Date	11/07/2001
First Named Inventor	Nagel
Art Unit	3661
Examiner Name	Dalena Tran
Attorney Docket Number	6474

Please check only one of boxes 1 or 2 below:  
(If no box is checked, this paper will be treated as a request for express abandonment as if box 1 is checked.)

1.  Express Abandonment  
I request that the above-identified application be expressly abandoned as of the filing date of this paper.
2.  Express Abandonment in Favor of a Continuing Application  
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

TO AVOID PUBLICATION, USE FORM PTO/SB/24A INSTEAD OF THIS FORM.

TO REQUEST A REFUND OF SEARCH FEE AND EXCESS CLAIMS FEE (IF ELIGIBLE), USE FORM  
PTO/SB/24B INSTEAD OF THIS FORM.I am the:  applicant. assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/85) attorney or agent of record. Attorney or agent registration number is 35,305 attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because  
the application is expressly abandoned in favor of  
a continuing application (box 2 above must be checked). Attorney or agent registration number  
is \_\_\_\_\_  
Signature1/19/2008  
Date

Patrick J. O'Shea

413-731-3100 ext. 102

Typed or printed name

Telephone Number

Note: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

 Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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